Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: August 11, 1999	Bureau/Station/Facility: F.O.R. III, Pico Rivera Station	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 099-05989-1599-055	Date: August 11, 1999 Time: 1201 Hours
City or Station: Pico Rivera Station	Nature of Incident: Deputy Involved Shooting - Hit
Location: [redacted] Stewart & Grey Road, Downey	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, (Parking Lot), Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, (Daylight), Other, Street Lights

Weather (*circle only one*): (Clear), Cloudy, Fog, Rain

Distance: 10 to 15 Feet

Incident Type (*circle one or more*): Accidental, (Armed Person), (Fleeing Suspect), (Foot Pursuit), Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, (Vehicle Pursuit), Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, (Other), Routine Patrol

Total # of Shots Fired by Deputy: 4

Total # of Shots Fired by Suspect: -0-

Aero Unit? ☒ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Gonzalez	Ricardo	-	EM PM (Day)	(Regular) Overtime Off Duty
	(See page 7)		-	EM PM Day	Regular Overtime Off Duty
	(See page 7)		-	EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name	First Name	M.I.		
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name	First Name	M.I.		
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Steele	John		(On Duty), (Present during shooting), Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Zuniga	Thomas	-

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Johnson	Kenneth	G.

PSTD Use Only

SH # IAB SH 1264292

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 099-05989-1599-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
August 11, 1999	1300	9/21/99	

Employee #	Last Name	First Name	M.I
[redacted]	Mannis	Karyn	J.
[redacted]	Kimble	GARY	T.
[redacted]	Campbell	THOMAS	-

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) 410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH		9	-	-	-	-
E1	S1	FH	BR	9	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 099-05989-1599-055

Involved Employee

1e
E 1

Employee # [redacted]	Last Name: Galvan	First Name: Michael	M.I.: D.
Sex: M Race: H	Rank: Deputy	Unit Assignment: F.O.R. III, Pico Rivera	Work Assignment (Unit #, Module, etc.): Unit 155A
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used: N/A
Hospital Admission? ☐	Hospital Name: N/A	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 9	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors: Class "C" Uniform (Green Class "B" pants, Green Polo Shirt; marked with Sheriff's emblems.)
Age: [redacted] Height: 5'11"	Weight: 209		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 099-05989-1599-055

Involved Employee

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 099-05989-1599-055

Suspect Information

1e
S 1

Last Name Rojas		First Name Edward	M.I. F.
AKA Last Name 12 AKA's		First Name	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 36 D.O.B. 08-01-63	Height: 5'07" Weight: 193	FBI # [redacted]	CII # [redacted]
Booking # N/A	Primary Charge: A/187 P.C.	Secondary Charge: 245 P.C.	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make Bucik		Model: Century	Year: 1988

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Steele	John	---	F.O.R. III, Norwalk, Unit 40S, Empl. #[redacted]	--------------------	(562) 863-8711	--------------------
Scaffide	Tony		F.O.R. III, Norwalk, Unit 43K1, Empl. #[redacted]	--------------------	(562) 863-8711	--------------------
Peralta	Sergio	---	F.O.R. III, Pico Rivera, Unit 152A, Empl. #[redacted]	--------------------	(562) 949-2421	--------------------
Duran	Ruben	A	F.O.R. III, Pico Rivera, Unit 155E, Empl. #[redacted]	--------------------	(562) 949-2421	--------------------
Marquez Jr.	Gilbert	--	F.O.R. III, Pico Rivera, Unit 815K, Empl. #[redacted]	--------------------	(562) 949-2421	--------------------
Lang	Bruce	---	F.O.R. III, Pico Rivera, Unit 815K, Empl. #[redacted]	--------------------	(562) 949-2421	--------------------
Edey	Keith	---	F.O.R. III, Aero Bureau, Air 7, Empl. #[redacted]	--------------------	(562)421-2701	--------------------
Dixon	Gerry	---	F.O.R. III, Aero Bureau, Air 7, Empl. #[redacted]	--------------------	(562) 421-2701	--------------------

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

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Officer Involved Shooting Form

IAB Investigative Report

Exhibits

A	Pico Rivera Station In-Service, Wednesday, August 11, 1999, Day Shift. Norwalk Station In-Service, Wednesday, August 11, 1999, Day Shift.
B	Audio tape of the initiation of Code 9, Vehicle Pursuit, Surveillance Mode, Foot Pursuit and Deputy Involved Shooting.
C	Map depicting direction suspect traversed in his car.
D	Complaint Report and Supplemental Reports
E	South Gate Police Department's, Traffic Collision Report, File #99-08866 (traffic collision at Southern Avenue and Garfield Avenue).
F	Supplemental Report, Assault with a Deadly Weapon 245 (a)(1) (which occurred at Stewart and Grey Road and Lakewood Boulevard)
G	Drawing depicting point at which vehicle pursuit terminated and apartments located at [redacted] and [redacted] Stewart And Grey Road.
H	Photographs (fourteen, two per page) depicting ground and ariel views of the apartments and landscape at [redacted] and [redacted] Stewart and Grey Road and photographs of the gun found in the trash receptacle.
I	Homicide Investigation Book.

Miscellaneous / Documents

INVESTIGATIVE SUMMARY IAB SH 1264292

The summary of this incident is based upon Complaint / Supplementary Reports, Homicide's investigation, tape recording of radio traffic and photographs. This summary does not include interviews of Department members involved in the incident by Internal Affairs Bureau (IAB) Investigators. The facts of the shooting were obtained by investigators from Homicide Bureau and their written accounts of the incident as told to them by Department personnel involved in the incident.

On August 11, 1999, Lieutenant Karyn Mannis, #[redacted] Sergeants Gary Kimble, #[redacted] and Tom Campbell, #[redacted] of Internal Affairs Bureau (IAB), Deputy Jeff Scroggin, #[redacted] of the Force Training Unit, and Deputies Harry Drucker, #[redacted] and Matthew Brady, #[redacted] of Civil Litigation Unit, were notified that Pico Rivera Station personnel had been involved in the following: The following of a stolen vehicle which was also wanted in a robbery; vehicle pursuit; foot pursuit, and a deputy involved shooting which resulted in the death of the suspect and no injuries to Deputies.

After arriving at the scene of the shooting, [redacted] Stewart and Grey Road, Downey, IAB Investigators contacted Lieutenant Marilyn Baker of Homicide Bureau. Lieutenant Baker provided preliminary details of the incident as relayed to her by Homicide Investigators, Detective Gerry Biehn and Detective Christopher Brackpool.

The investigation revealed that on August 11, 1999, at approximately 1141 hours, Deputies Michael Galvan, #[redacted] and Ricardo Gonzalez, #[redacted] were assigned to Pico Rivera Station, Community Oriented Policing Team, Unit 155A, Day Shift [redacted].

Deputy Galvan was driving their Ford, Crown Victoria, marked black and white, Sheriff's Car (Roof top #989). They were both wearing the Department's Class "C" uniform (Class "B" green pants and a green polo shirt, clearly marked as a Deputy Sheriff).

They observed a Male Hispanic (later identified as Edward Rojas, M/H, DOB of 8/01/63) driving a car, described as a Buick, Century, California license #[redacted] white in color. The car was stopped eastbound, Telegraph Road at Cederdale Road, left turn bay entrance to the southbound 605 Freeway. The Deputies were in the number one lane, slightly to the rear of the suspect's car, alongside of the suspect.

Deputy Gonzalez ran the Buick's license number via the car's Mobil Digital Terminal (MDT). They were advised by Sheriff's Communications Center (SCC) that the vehicle was reported stolen on June 23, 1999, out of Pico Rivera Station. Deputy Gonzalez reported they were "Code 9" (Following the vehicle only) as they entered the southbound 605 Freeway and requested back up from additional Pico Rivera Station Units and/or Norwalk Station Units. He also requested a Sheriff's Helicopter (Air 7 acknowledged with an estimated time of arrival of approximately five minutes).

While in the "Code 9" posture SCC updated the status of the reported stolen car as also wanted in a robbery (Reported by Glendora P.D., Armed Robbery of a gas station on 7/4/99, File #99-02710).

As Galvan/Gonzalez' car (Primary Unit) passed the 105 Freeway they were assisted by Deputy Tony Scaffide, #[redacted] Norwalk Unit 43K1 (Secondary Unit) and Sergeant John Steele, #[redacted] Norwalk Unit 40S (Third Unit). With three units in place, Sergeant Steele directed Deputy Scaffide to call out the direction of the suspect's car thus allowing Deputy Galvan to concentrate on driving The deputies continued to follow the suspect's vehicle awaiting Air 7's arrival. The deputies continued their Code 9 (Following posture only) southbound 605 Freeway to the transition, westbound 91 Freeway. Between the 605 Freeway and Paramount Boulevard, Deputy Sergio Peralta, #[redacted] Unit 152A and Deputy Ruben Duran, #[redacted] Unit 155E joined the other three units

With Air 7 overhead at approximately Lakewood Boulevard and assisting units in place, Deputies Galvan/Gonzalez attempted to initiate a felony vehicle stop of the suspect's car (approximately one-quarter mile east of Paramount Boulevard) by activating their car's red lights and siren. The suspect's car began to yield and traveled toward the right shoulder, and exited the freeway onto the Paramount Boulevard off-ramp.

The suspect's car traveling at an approximate speed between 25 and 35 M.P.H., turned right against the red traffic signal northbound Paramount Boulevard. When the suspect failed to yield, Deputies Galvan/Gonzalez initiated a pursuit of the suspect's car.

The pursuit was subsequently broadcasted by Air 7.

The suspect's driving became erratic with his speed between 45 and 70+ M.P.H. (at one point his speed was estimated at 90 MPH) occasionally driving in opposing lanes of traffic for southbound Paramount Boulevard. The suspect vehicle turned eastbound Alondra Boulevard a short distance (approximately three hundred yards) turning northbound California Av., making a U-turn through a parking lot, reversing direction of travel to westbound Alondra Boulevard. The suspect's vehicle turned through a gas station's lot to northbound Garfield Avenue.

Between approximately Imperial Highway and Southern Avenue, Sergeant Randy Seymour, #[redacted] Norwalk Station's Watch Commander and ground units discussed utilizing the Surveillance Mode (where deputies discontinue Code 3, red lights and siren, subsequently allowing distance between pursuing cars and the suspect with an Air Unit monitoring the suspect's direction.) The Surveillance Mode was ordered by Sergeant Randy Seymour at the approximate time when the suspect reached the intersection of Garfield Avenue and Southern Avenue. At that point the pursuing deputies were assisted by Deputies Gilbert Marquez, #[redacted] and Bruce Lang, #[redacted] Pico Rivera Station Unit 815K.

The suspect's vehicle collided with a civilian motorist (Exhibit E). As Deputies Galvan /Gonzalez arrived at the collision scene, Deputy Galvan stopped approximately 10 to 15 feet behind the suspect's car. The suspect deliberately backed his vehicle into the right front quarter panel of their car.

The suspect drove eastbound Southern Avenue, evading deputies and continued eastbound Stewart and Grey Road (Southern Avenue and Stewart and Grey Road are one of the same, depending on the city.) While approaching Lakewood Boulevard the suspect's vehicle abruptly stopped in traffic, then pushed a civilian motorist's car out of the way, backed up violently striking and driving over the center medium, reversed his direction of travel to now westbound Stewart and Grey Road (Exhibit F). The collision with the medium curb caused the suspect's left rear tire to go flat.

The suspect drove a short distance to [redacted] Stewart and Grey Road where he collided with a parked car before abandoning his car through the front passenger's door. The suspect ran in a northerly direction on the driveway adjacent to the east side apartment complex, to the carport area at the rear of the complex. Deputies Galvan, Gonzalez, Scaffide, Peralta, Marquez, Lang and Sergeant Steele gave chase on foot. (Exhibit H, photographs)

Deputy Marquez was initially the first deputy in the foot pursuit, immediately followed by Deputy Galvan, Sergeant Steele, and the other deputies as they ran in a northerly direction on the driveway adjacent to the east side of the apartment complex.

Deputy Galvan passed Deputy Marquez as they approached the northeast corner of the complex. As he approached the corner, the suspect turned the corner in a westerly direction out of their view. As Deputy Galvan approached the corner, he veered to his right taking a better angle to see if the Suspect had stopped or continued running. He saw that the suspect had continued running in a northwesterly direction toward a cinder block wall. As he continued his chase and turned the corner, he observed the suspect reach into his right rear pant's pocket and remove an object. He heard Deputy Marquez say, "He's got a gun."

Deputy Marquez said while running in a northerly direction approaching the corner of the apartment complex, he observed the suspect reach into his waist band area and remove a dull, chrome, hand gun, simultaneously hearing Air 7 say over his handheld radio that the suspect was reaching into his waist band. Deputy Marquez yelled that the suspect had a gun to the other deputies. Both Deputies Galvan and Marquez ordered the suspect to stop.

Deputy Galvan doubted what he heard and what he had seen until he saw the suspect laying on the wall holding a gun in his right hand. The suspect was laying on the wall (head to the south, feet toward the north) north of the trash receptacle on the east side of wall behind the address at [redacted] Stewart and Grey Road.

Deputy Lang believed that Deputies Galvan and Marquez were close enough to the suspect at that point that they were attempting to pull the suspect from the wall. Deputies Gonzalez and Scaffide and Sergeant Steele were further behind in the chase as they each slowed down as they approached the corner of the apartment complex.

The suspect went over the wall and fell onto the southern lid of the trash receptacle located on the west side of the wall and was temporarily out of the Deputies' view. Deputy Galvan positioned himself north of the trash receptacle (located on the east side of the wall). Deputy Marquez positioned himself south of the trash receptacle and Deputy Peralta was further south along the wall approximately thirty feet south of the trash receptacle.

Deputy Galvan peeked over the wall (using his left forearm on top of the wall as leverage holding his Beretta, duty weapon, in his right hand) and saw the suspect, approximately two to three feet in front of the trash receptacle on the west side of the wall, pointing his gun at Deputy Galvan. Deputy Galvan fearing for his life and for the lives of his partners, fired 4 shots and immediately climbed down from the wall.

Deputy Galvan waited a few seconds, looked over the wall a second time, and observed the suspect laying on the ground.

Deputies Galvan, Marquez, and Peralta climbed over the wall. Deputy Galvan was assisted in handcuffing the suspect by Deputy Duran (Deputy Duran had driven his patrol car to the first driveway west of the address, to [redacted] Stewart and Grey Road, and drove north to the apartment complex's rear parking area where he observed the suspect laying on the ground). Deputy Marquez and Sergeant Steele summoned paramedics for the suspect's injuries.

Downey Fire Department (Engine Company 61) and Paramedics (Squad 641) under the direction of Captain English arrived and began emergency medical treatment. The suspect was transported by ambulance to St. Francis Medical Center. The suspect was treated by Doctor Park and the Emergency Room Staff. Mr Rojas was pronounced dead by Dr. park at 1257 hours.

Four expended 9mm casings were recovered at the scene. One round struck an interior carport wall that was located several feet behind the suspect. Two rounds struck the suspect and one round was never recovered. The suspect's gun was located inside an adjacent trash receptacle.

[redacted]

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF SPECIAL OPERATIONS • SPECIAL INVESTIGATIONS DIVISION

GIL GARCETTI • District Attorney
ROBERT P. HEFLIN • Chief Deputy District Attorney
MICHAEL E. TRANBARGER • Assistant District Attorney

ALLEN D. FIELD • Director

July 5, 2000

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Dear Captain Merriman:

Re: S.I.D. File No: 100-8663/00-0161
L.A.S.D. File No: 099-05989-1599-055

The Special Investigations Division of the Los Angeles County District Attorney's Office has completed its review of the August 11, 1999 fatal shooting of Edward Rojas by Los Angeles County Sheriff's Deputy Michael Galvan. Based on the information submitted to this office, there is insufficient evidence to prove that Deputy Galvan acted unlawfully or unreasonably.

The following analysis is based upon a 387-page report prepared by the Los Angeles County Sheriff's Department, Homicide Bureau and an examination of photographs taken at the scene of the shooting and photographs taken during the autopsy. At the request of the Special Investigations Division, two law enforcement witnesses were re-interviewed in order to obtain more detailed information. A tape of communications between deputies in a helicopter and deputies on the ground before and after the shooting was also provided. Members of this office have conducted no independent investigation.

FACTUAL SUMMARY

On August 11, 1999 at 11:43 A.M. Los Angeles County Sheriff's Deputies Michael Galvan and Richard Gonzalez were in uniform in a marked black and white vehicle eastbound on Telegraph Road approaching the 605 Freeway in the city of Pico Rivera. In the next lane of traffic also traveling eastbound was a white Buick Century, California License #[redacted] Deputy Galvan ran the license plate number through their computer terminal and determined that the car had been reported stolen to the Pico Rivera Sheriff's Station on June 23, 1999. The deputies re-checked the stolen status of the Buick as it

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210 West Temple Street
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entered the southbound 605 Freeway at Telegraph Road. They followed the Buick onto the 605 Freeway. The deputies received a broadcast that the Buick had been identified as the get-away car in an armed robbery subsequent to its being reported stolen. The deputies requested assistance in pulling over the Buick. The driver and sole occupant of the Buick was Edward Rojas.

The Buick continued southbound on the 605 Freeway, then entered the westbound 91 Freeway. Deputies Galvan and Gonzalez were eventually joined by two additional sheriff's patrol cars, several California Highway Patrol cars and a helicopter. At the Paramount Boulevard off-ramp deputies Galvan and Gonzalez activated their red lights and siren in order to pull over the Buick. Rojas responded by increasing his speed getting off the freeway at Paramount Boulevard and proceeding northbound on Paramount Boulevard.

The Buick continued to attempt to evade the deputies while driving on surface streets in the cities of South Gate and Downey, still being pursued by several sheriff's radio cars and the sheriff's helicopter. The Buick made a rapid right turn from Garfield Avenue to eastbound Southern Avenue in the city of South Gate. The Buick then collided with another vehicle coming westbound on Southern Avenue.

After the collision the Buick came to a stop and the deputies began to position their vehicles to try to take Mr. Rojas into custody. At that point the Buick backed up rapidly and crashed into the patrol car with Galvan and Gonzalez inside. The Buick then sped away eastbound on Southern Avenue, which turns into Stewart and Gray Road. Either the collisions or driving over the median caused the rear right tire of the Buick to virtually disintegrate.

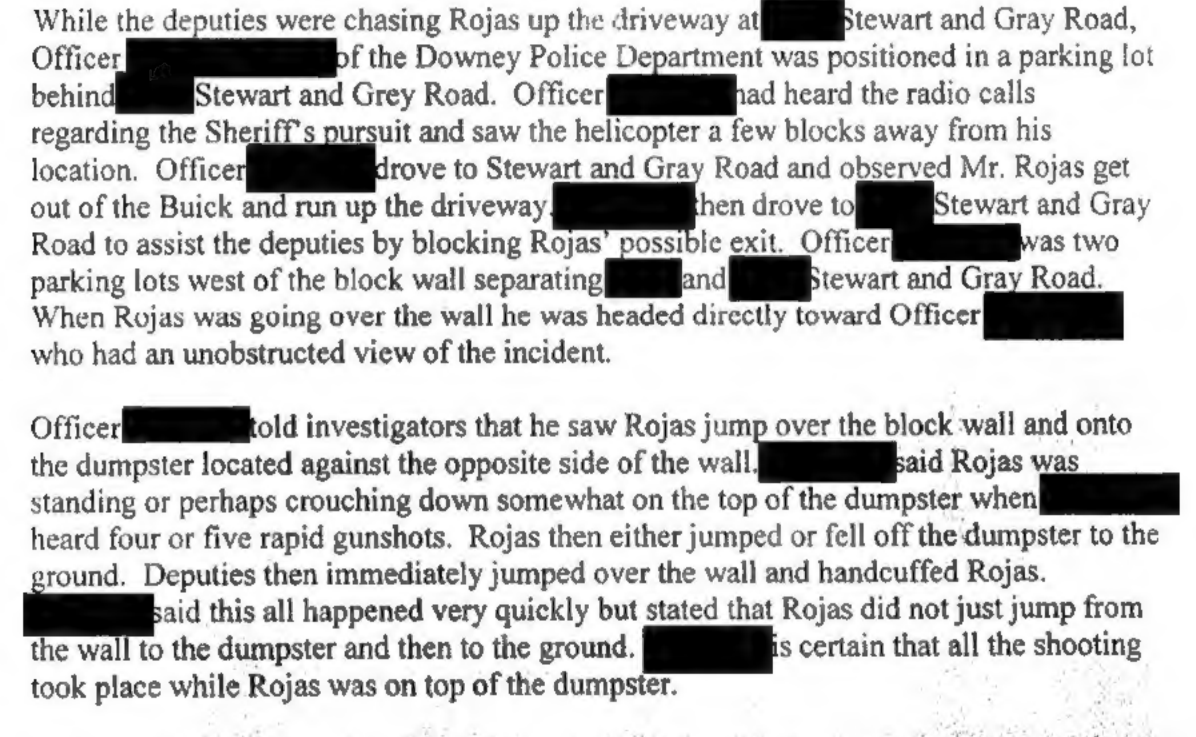
The Buick came to a halt in front of [redacted] Stewart and Gray Road in the City of Pico Rivera. Mr. Rojas got out of the Buick and ran up a driveway near [redacted] Stewart and Gray Road, followed by numerous deputies. Deputies Galvan and Gonzalez as well as Deputy Gilbert Marquez, Deputy Bruce Lange and Sergeant John Steele were involved in the foot pursuit. The deputies chased Mr. Rojas northbound up the driveway, then westbound through a carport to a block wall that separates [redacted] and [redacted] Stewart and Gray Road.

As Rojas ran up the driveway, Deputies Galvan and Marquez saw Mr. Rojas remove a handgun from his right rear pocket. Rojas climbed rapidly over the wall with the gun in his right hand. At that point the deputies lost sight of him. Deputy Galvan was the first to reach the wall. Galvan was so close to Rojas that he believed he would catch him before Rojas made it over the wall.

Galvan told investigators that when he reached the wall he took a "quick peek" over the block wall. He saw Rojas standing a few feet to the left of a dumpster, which was against the opposite side of the wall. According to Galvan, Rojas was pointing his gun at him.

Deputy Galvan pointed his gun over the wall and fired four rounds at Rojas, then ducked down. When he looked over the wall again he saw Rojas lying on the ground. The group of deputies then jumped over the wall and handcuffed Rojas. The other deputies involved in the foot pursuit confirmed this sequence of events. They all stated they were behind Galvan and could not see Mr. Rojas when Galvan was firing at him.

During the period leading up to and during the foot pursuit, the shooting, and the events immediately afterward, the deputies on the ground were being assisted by a sheriff's helicopter. Deputy Edey was acting as the observer in the helicopter. He told investigators that he saw Mr. Rojas get out of the Buick and run up the driveway with the deputies in pursuit. Edey observed a shiny object in Rojas' hand. He saw Rojas "hit" the wall and begin to climb over it. When circling overhead, he saw Rojas either jumping or falling off the dumpster. Rojas fell to the ground and was immediately handcuffed by deputies. Edey did not know there had been a shooting at the time.



While the deputies were chasing Rojas up the driveway at [redacted] Stewart and Gray Road, Officer [redacted] of the Downey Police Department was positioned in a parking lot behind [redacted] Stewart and Grey Road. Officer [redacted] had heard the radio calls regarding the Sheriff's pursuit and saw the helicopter a few blocks away from his location. Officer [redacted] drove to Stewart and Gray Road and observed Mr. Rojas get out of the Buick and run up the driveway. [redacted] then drove to [redacted] Stewart and Gray Road to assist the deputies by blocking Rojas' possible exit. Officer [redacted] was two parking lots west of the block wall separating [redacted] and [redacted] Stewart and Gray Road. When Rojas was going over the wall he was headed directly toward Officer [redacted] who had an unobstructed view of the incident.

Officer [redacted] told investigators that he saw Rojas jump over the block wall and onto the dumpster located against the opposite side of the wall. [redacted] said Rojas was standing or perhaps crouching down somewhat on the top of the dumpster when [redacted] heard four or five rapid gunshots. Rojas then either jumped or fell off the dumpster to the ground. Deputies then immediately jumped over the wall and handcuffed Rojas. [redacted] said this all happened very quickly but stated that Rojas did not just jump from the wall to the dumpster and then to the ground. [redacted] is certain that all the shooting took place while Rojas was on top of the dumpster.

Mr. Rojas was transported to St. Francis Medical Center in Lynwood, where he was pronounced dead. Dr. Solomon Riley performed an autopsy on August 14, 1999. The cause of death was listed as multiple gunshots. One round penetrated Mr. Rojas' right wrist and exited. A second gunshot wound struck Rojas' chest, proceeding from front to back with an upward trajectory. Dr. Riley believes that the through and through round to Mr. Rojas' wrist may have continued and also caused the chest wound. A third round struck Mr. Rojas at the top of the back, proceeding downward and back to front. A toxicology screen showed Mr. Rojas had both cocaine and morphine in his blood at the time of his death.

A nine-millimeter Detonics pistol was found inside the dumpster. There was no magazine in the pistol. However, there was a round in the chamber. Four nine-millimeter casings were recovered at the scene, two on each side of the block wall. All were matched to Deputy Galvan's department issued nine-millimeter Beretta by sheriff's firearms expert Patricia Fant.

Mr. Rojas had an extensive criminal history, including [redacted]

CONCLUSION

According to the law in the State of California, the use of deadly force in self-defense or in the defense of another is justifiable if the person claiming the right to use self-defense actually and reasonably believed (1) that he or she, or the person who he or she was defending, was in imminent danger of death or great bodily injury; and (2) that it was necessary under the circumstances to use deadly force to avoid such imminent death or great bodily injury. CALJIC 5.12.

When Deputy Galvan was chasing Mr. Rojas toward the block wall he was aware of a number of crucial facts: (1) Mr. Rojas had a gun in his right hand; (2) Mr. Rojas was a logical suspect in a recent armed robbery, (3) Mr. Rojas was engaged in a lengthy and dangerous pursuit during which he had rammed a Sheriff's patrol car; and (4) Mr. Rojas was about to disappear over the wall, making him much more dangerous to pursuing deputies.

Clearly the events as described by Deputy Galvan and his fellow deputies is in stark contrast to the events as described by Officer [redacted] and, in part, by helicopter observer Edey. [redacted] was certain that Rojas was atop the dumpster when shot, while Galvan stated that Rojas was standing on the ground near the dumpster, pointing a gun directly at him at the time of the shooting. While [redacted] version of the events casts some doubt on Galvan's statement of where Rojas was when he pointed his gun at Galvan, it does not alter our belief that Deputy Galvan reasonably feared for his safety as well as the safety of his fellow deputies. Clearly Rojas was armed with a loaded nine-millimeter handgun, and there is no direct evidence which would lead us to disbelieve Galvan's statement that Rojas was seen pointing the gun in his direction.

We realize that Galvan was thrust into a harrowing, life threatening situation. We understand that he had to make a split second decision, and appreciate the fact that his observations were directly affected by the threat he perceived. Simply put, whether Rojas was on top of the dumpster when Galvan shot at him, or on the ground, we still believe that Galvan was reasonable in believing that his life was in immediate jeopardy.

Having concluded that Deputy Galvan acted lawfully in self-defense, we are closing our file and will take no further action in this matter.

Very truly yours,

GIL GARCETTI
District Attorney

By

JOHN FRANCIS GILLIGAN
Deputy District Attorney
(213) 974-9905

c: Deputy Galvan #[redacted]